



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,649	03/29/2004	Stephen G. Nelson	744-P-6	3406

7590 05/17/2005

Gregory J. Nelson
NELSON & ROEDIGER
Suite 212
3333 E. Camelback Road
Phoenix, AZ 85018

EXAMINER

GRAY, LINDA L

ART UNIT	PAPER NUMBER
----------	--------------

1734

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/812,649

Applicant(s)

NELSON, STEPHEN G.

Examiner

Linda L. Gray

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 is/are allowed.
- 6) ☒ Claim(s) 8-10 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Claim Rejections - 35 USC 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shields (US 5,773,110) in view of Darsillo et al. (US 2002/0004131 A1) or Mimura et al. (US 5,002,825).

Claim 8, Shields teaches a method of producing printable signage material for application to a transparent substrate which is a window (c 1, L 1-9). The method includes (a) providing opaque light colored substrate 80 having opposite first and second surfaces with pigmented adhesive 82 (i.e., dark) on one of the surface and (b) perforating substrate 80 to provide see through visibility when viewed from the adhesive side surface (c 5, L 9-24). Shields also teaches applying an image to the other surface of substrate 80 via printing (i.e., ink).

Claim 8, *Shields does not teach a plastic substrate having an ink encapsulating ink receptive coating to the side to be printed upon.*

However, display panels of plastic are conventional because such are flexible and conform well to slightly configured surfaces where both Darsillo et al. (p 1, para 2-4) and Mimura et al. (c 1, L 18-24) teach that plastics need a coating of clay on the surface for printing to improve ink-ability, and for these reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such Shields. Applicant indicates clay to be an acceptable coating (specification, claim 10

Art Unit: 1734

as well) where the clay layer in Shields modified is encapsulating to the same degree as that in claim 8.

Claims 9-10, these limitations are provided for above. **Claim 11**, Shields teaches applying adhesive 84 and liner 85 on the adhesive side surface.

Allowable Subject Matter

3. Claims 1-7 are allowable.

Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: **claims 1 and 12**, it would not have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Shields applying an image using an ink jet applicator because Shields teaches that during the printing, the panel is mounted upon a window which would not allow for use of an ink jet applicator.

5. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Response

6. Applicant's comments and declaration under Rule 132 have been considered, and the rejection of claims 1-7 and 12 is withdrawn in response thereto.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.

Art Unit: 1734

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla, can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

llg

May 16, 2005

Linda L Gray

LINDA GRAY
PRIMARY EXAMINER